

## **From the rights-based perspective**

### **Claiming a grassroots voice in UN human rights treaty bodies**

*By Perfecto Caparas, LLB (JD equivalent), LLM American Law, LLM Human Rights (Hons)*

This paper discusses the role and challenges confronting non-governmental organizations in monitoring and enforcing human rights treaties from a rights-based perspective. It aims to thresh out and further strengthen the existing initiatives on the part of NGOs to confront state actors on the crucial issue of their human rights accountability before the international community as represented by the various human rights treaty bodies or committees.

The author begins by noting the institutionalization of the role of NGOs in the UN human rights system. He demystifies UN human rights treaty bodies by showing some facets of their actual workings. He then discusses how NGOs confront states through the rights-based approach.

The writer also explains the relevance of shadow reporting and how it contributes to the fulfillment of the mandate of Committee members. He characterizes NGOs and their shadow reporting as a counterforce to state actors. He explores the strategic role of states in addressing human rights treaty gaps and their potential to take the lead in implementing the human rights framework.

The author confronts the reality of political interests and how these militate against the quest for human rights enforcement. He underscores the need for human rights defenders and stakeholders to engage in an impact-oriented activism.

He points out the challenges engendered by their participation in the UN human rights monitoring and enforcement mechanisms, stressing the importance of vigilance and training grassroots defenders. He then tackles the need for defenders to master the dynamics of UN human rights treaty bodies. He presents what it takes for grassroots communities to effectively engage in the UN system. He tackles the specifics of research and documentation, shadow report writing, UN oral presentation, targeting issues for impact, and carrying out follow through lobbying efforts. He emphasizes the need for media and cyber-advocacy to carry their human rights agenda forward and on a long-term and continuing basis.

The insights and experiences could be useful in dealing with various treaty bodies, notably, the [Human Rights Committee](#), [Committee on the Elimination of Racial Discrimination](#), [Committee on the Rights of the Child](#), [Committee on Economic, Social and Cultural Rights](#), [Committee](#)

[against Torture](#), and [Committee on Migrant Workers](#), and [Committee on the Rights of Persons with Disabilities](#).

This paper is dedicated to NGOs – aided in no small way by human rights scholars and academics – whose fiscalizing role vis-à-vis states has already been institutionalized over decades of their painstaking labor and commitment to human rights advocacy.

### ***Institutionalization of NGOs***

Past decades saw the upsurge and institutionalization of NGO participation in the work of UN human rights treaty bodies. Although certain sectors would prefer to exclude NGOs from this process, human rights as well as principles of democratic governance run counter to such tendencies. To the chagrin of state actors, the principles of transparency, democratic participation, and state accountability work in favor of NGO role and participation in the human rights monitoring and enforcement system.

### ***Demystifying UN human rights treaty bodies***

Why the need to demystify the UN? As the leading organization of the world community following World War II, the UN has assumed a paramount role in addressing issues of human rights, peace, development, and security. These are the challenges that still confront humanity today. From the standpoint of NGO defenders, engaging state actors in the international arena on the issue of the latter's human rights accountability plays a catalytic role in addressing the gaps between the treaties and the reality obtaining on the ground.

Demystifying UN human rights treaty bodies (at the macrocosmic level) can be achieved by knowing that these entities in reality operate at the microcosmic, human level. This demystification could be achieved by knowing that the individual members of the UN human rights treaty bodies have the mandate and duty to monitor the state parties' implementation and enforcement of the treaty provisions. They are duty-bound to fulfill this role and presumably would not want themselves to fall short of high expectations of the world community of their sterling role in human rights promotion.

In performing this function, the committee experts need tons of information to examine the human rights landscape in the specific country whose periodic report becomes the subject of the “constructive dialogue” between the government delegates and the committee experts.

The experts' assessment and evaluation of the states' compliance with their treaty obligations are determined to a large extent by the nature and quality of information accessible to them. The information arena, therefore, becomes the inevitable battleground between NGOs and state actors who find each other at loggerheads in presenting their own version of facts before the UN human rights treaty bodies.

### ***Confronting states through the rights-based approach***

What is the rights-based approach? The rights-based approach originates and operates from the normative nature and character of treaty provisions, together with the emerging jurisprudence that authoritatively interprets and applies these provisions. Its legal impetus emanates from the states' ratification of the treaty, which entails a continuing responsibility to carry out its provisions. This means that treaty provisions are supposed to serve as the goal and guide in performing state functions.

Treaty provisions, along with the jurisprudence hammered out by various human rights treaty bodies over the years, become the framework of analysis and examination of specific human conditions as these bear significance to the enjoyment or deprivation of the rights of individuals and peoples in the realm of economic, social, cultural, civil, and political rights as spelled out in the treaties. In this sense, the specific provisions serve as the lenses and benchmark in viewing and determining the extent of states' compliance with their treaty obligations.

The rights-based approach therefore is closely intertwined with the notion of state accountability as far as human rights obligations are concerned. Insofar as states succeed or fail in realizing the provisions of treaties, they need to answer for their own failings, neglect, or shortcomings before the international community.

States are not in a position to question the treaty provisions against which the arsenal of NGO-articulated data and facts gets juxtaposed due to the principle of *estoppel*. Further, pursuant to the principle of *pacta sunt servanda*, contained in Article 26 of the Convention on the Law of Treaties, every treaty is binding upon parties to it and that states are duty-bound to perform their obligations thereunder in good faith.

International public opinion steeped in human rights precepts and values serves as a powerful moral force in pressuring states to enforce their own treaty obligations. In this sense, the sovereign walls of states are transcended by the norm-setting power of human rights treaties.

NGO engagement in this international arena serves to challenge state actors both in the global and national spheres.

### ***Relevance of shadow reporting***

Typically, states abhor the glaring spotlight of international scrutiny as far as their own dismal human rights records are concerned. China, for instance, until now, refuses members of international organizations to gain access to its political prisoners, particularly those from Tibet. In reacting to U.S.-issued reports of human rights violations obtaining in its home ground, China simply retorts by citing human rights violations occurring in U.S. soil.

This demonstrates states' avoidance of being criticized and, as a result, isolated, from the rest of the community of nations due to their dark human rights record. To a large extent, this

psychological pressure leads state actors to sanitize information in their initial and periodic reports to human rights treaty bodies.

Aware of this strong tendency on the part of states, UN committee experts have welcomed the submission by non-government organizations of alternative or shadow reports as a way of counterbalancing the filtering process that usually obtains in most states. See samples of [shadow reports](#) submitted by women's human rights defenders to the CEDAW Committee.

Ironically for state actors, their concealment and avoidance of core issues have all the more given NGOs their *raison d'être*, and, hence, their status of legitimacy in treaty bodies. What highlights the potency of NGOs' role is the claim by government delegates that NGO inputs have been solicited and included in their initial and/or periodic report. Their unstated message is that the states have not deliberately omitted unsavory facts from their reports to the human rights treaty bodies. In such situations, NGOs need to be cautious that their participation in such a process does not get manipulated and misused by state actors.

### ***Weighing facts: Committee experts***

From the perspective of committee members, the presence of NGOs show that their concluding comments and observations were firmly based on all available sources of information. For committee members to rely solely upon the reports churned out by states parties would be tantamount to political suicide as this would disparage their status as a little more than the states parties' rubberstamp.

Logic requires that committee experts exhaust all possible sources of information in order to fulfill their mandate of determining the degree of the states parties' compliance with the treaty if their monitoring function were to be given justice. The basis of the experts' assessment and conclusions perforce needs to be accurate and reliable.

Through NGOs' somewhat backdoor participation in the constructive dialogue between state actors and committee experts, the credibility and respectability of the human rights bodies themselves are fostered and enhanced. This also generates some amount of pressure upon state actors to be truthful and candid in reporting on their own human rights situation.

There exists therefore a symbiotic relationship among the members of this triumvirate of forces in the human rights treaty bodies: state actors, NGO defenders, and committee experts. Their term of reference, so to speak, is none other than the human rights treaty they are tasked to monitor, along with the general comments, and concluding comments and observations. This is the same treaty that state actors, NGO defenders, and committee experts use as lens, guideposts, and goals in rooting out and scrutinizing the facts relevant to its provisions.

### ***On the defensive: State actors***

State actors, in this arena, being the power-wielder and the repository of state authority, are the ones who undergo scrutiny before the UN committee experts. From the NGOs' end, state actors are the villains, the accused, the wrongdoer, the enemy. NGOs attack state actors wielding swords of data and facts debunking states' periodic reports.

There exists a strong urge on the part of states to paint a rosy picture of the human rights situation in their own country. Legislations guaranteeing, for example, the enjoyment of the right to equality and non-discrimination are portrayed by state actors as in and of itself a *fait accompli*, as if all their citizens actually enjoy *ipso facto* the said right merely by the enactment of such laws. It is in this regard that NGOs play a critical role in digging out the facts and circumstances relating to the people's enjoyment or deprivation of their right to equality and non-discrimination. They must expose the sham underneath such state posturing by reporting to the treaty bodies the actual conditions obtaining on the ground. In such situations, their role is to expose that this law means nothing to the people, in contrast to what the state purveys as the right-enabling law.

### ***NGOs: Counterforce***

NGOs serve as scalpels that deeply probe the abscesses of social maladies amid state attempts to muddle if not cover up the truth. NGOs play the role of torchbearers to make the light of truth shine upon the social injustices that states would rather sweep under the rug to avoid international embarrassment on account of such blight.

This role is not bereft of enormous challenges and responsibilities though. Inevitably, in this role, NGOs are not themselves stripped of any responsibility too. NGOs are bound by the same principles which they use in approaching political issues, especially those of accountability and transparency, such as on the issue of the sourcing and management of NGO funds, etc.

To provide an effective system of checks and balances in the scheme of human rights monitoring and enforcement, NGOs should at all times be credible. And this credibility in the eyes of UN committee experts, governments, and the public has to be built over years and decades of painstaking investigation, documentation, and reporting work. This presupposes that NGOs are able to present the real picture obtaining on the ground with accuracy and professionalism. Information therefore plays a critical role in the NGOs' work as a devil's advocate that pins down state actors with respect to their human rights obligation in the international arena.

### ***State activism***

Typecasting states, however, as human rights violators could be fallacious as a sweeping generalization. This is because states, as the treaty-ratifying entities, could get steeped into human rights norms and standards just like NGOs as well. Again, this boils down to the human factor. The seeds of state activism could be sown with functionaries seizing the initiative in instituting human rights-oriented reforms, say, formulating and carrying out human rights and

gender-sensitivity training programs among education, civil service, and military officials. And states, as the wielder of political power, are the entities that could decisively change the human rights landscape, whether for the better or worse.

This explains why NGOs and other human rights watchdogs do their mighty best in pressuring state actors to address human rights violations. This is also perhaps why some committee experts would like to train government people on how to prepare their initial and periodic reports. This initiative furthers the objectives of human rights treaties by training government functionaries on the rights-based approach.

This rights-based approach, in turn, holds the potential of goading state actors to imbue policies and programs with human rights dicta provided by treaties. This also underscores the norm-setting character of treaties. However, the reality of state actors' political interests, as well as of vested interest groups' that influence governmental policies, could militate against the state actors' fulfillment of their human rights obligation. This is different, of course, from economically-triggered impediments to human rights enforcement, such as genuine lack of resources and training, which the UN could address through its technical assistance program.

### ***Treaty implementation gaps***

A question that may arise is this: Would NGOs cease to be relevant if states embark on human rights-oriented policies and programs based on their treaty commitments? Not necessarily. This is because programs and policies in themselves do not automatically translate into reality, although, concededly, these pave the way for positively impacting the lives of people according to the human rights framework. Programs and policies that trumpet human rights may be instituted, but unless these translate into the actual enjoyment by people of their human rights, these programs and policies would remain scraps of paper.

The continuing challenge for the triumvirate of NGO defenders, human rights body experts, and state actors is constantly digging into and ferreting out where the implementation gaps are. This challenge could be effectively addressed by adopting grassroots approaches. Approaches that empower grassroots communities – for them to effectively articulate their own situation and hopes -- should be adopted with a view towards influencing and shaping national policies and programs. The grassroots sectors should therefore engage in political activism themselves in order for the mandate of human rights treaties to be truly transformed into flesh and blood.

### ***Reality of political interests***

While this triumvirate is supposedly using the rights-based approach during the constructive dialogue, in reality, however, the lack of human rights orientation on the part of most state actors, and even on the part of some committee members themselves, could affect the quality of the output of human rights treaty bodies. Political reality shows that some of the committee experts come from the ranks of bureaucrats whose lack of a human rights orientation could

adversely affect the quality of the human rights accountability process and final output, i.e., concluding comments and observations.

This explains why some committee experts expound on certain principles when their turn to propound questions before government delegates comes. The experts' aim is not solely to confront the delegates about factual issues vis-à-vis the treaty provisions, but to influence their own colleagues in the committee as well. Within human rights treaty bodies exist human rights advocates who perceive this lack of human rights orientation on the part of their colleagues as real stumbling blocks in addressing treaty implementation gaps. Moreover, the affluent background of most of the committee members could militate against their ability to appreciate the abject conditions facing the masses of people whose human rights get trampled upon with impunity by the powers-that-be, especially in the face of governmental justifications and rationalizations for human rights abuses. This explains to some extent the dismay on the part of women's human rights defenders with the way state actors and some CEDAW committee members deal with the matter of implementing the CEDAW Convention.

NGO engagement in this process inevitably has to take into account and confront this political reality within the UN as well. They might analyze committee experts and adopt appropriate approaches in dealing with them according to their degree of human rights sensitivity.

In treaty bodies that become inherently complex due to the comprehensive character of the treaty, like the CEDAW Committee, for instance, experts exhibit their preference for certain issues or sets of issues, i.e., women's political participation, health, education, etc. NGOs could then adopt certain strategies in approaching, based on the experts' own personal preferences and areas of expertise, individual committee experts who could espouse the NGO issues and raise them during the constructive dialogue and the committee's closed-door deliberations that determine the contents of the committee's concluding comments and observations.

In spite of the impeding role of political interests in human rights promotion, the actualization of their mandate – given the treaties' norm-setting character, together with the push from progressive human rights treaty body members, human rights academics and scholars, and NGO defenders – could be espied in the horizon.

### ***Impact-oriented activism***

The concluding comments and observations produced by treaty bodies serve as the culminating point of the human rights monitoring process as well as of NGO lobbying initiatives. This is a crucial document that would serve as a yardstick in assessing and determining the extent of states' compliance with the recommendations made by the UN committee experts in the years to come. During the next constructive dialogue, committee experts could confront state actors about the efforts exerted in carrying out the recommendations made in the previous concluding comments and observations. This document could also be waged by NGOs, journalists,

policymakers, and other stakeholders as weapons in pushing for and carrying out reforms to address the various concerns raised by the experts.

The document is comprehensive as well as authoritative inasmuch as this embodies the committee experts' assessment and analysis of the extent of the states' compliance or violation of their treaty obligations. While the force of public opinion could really be very persuasive in pressuring states to fulfill their human rights duties, the task and power to implement reforms remains significantly in the hands of state actors due to the notion of state sovereignty. This also explains why NGOs do their mighty best in confronting state actors on human rights issues. Their agenda is change.

Technical assistance programs serve as incentives for states to carry out their human rights mandate. This underscores the fact that human rights goals are humankind's collective responsibility to achieve. At the same time, this conveys to states the UN's concern, willingness, and readiness to assist states in complying with their human rights treaty obligation. After all, the main issue is to respect the dignity of people and promote their human rights.

### ***NGO challenges in UN shadow reporting***

Compared with states that possess vast machinery, resources, and manpower, NGOs only have limited resources that could affect their capability and impact. A key approach that further strengthens NGO presentations before human rights bodies is the tactic of coalition-building and networking among NGOs based on consensus. By pooling their efforts together, NGOs give the impression to human rights treaty bodies that their alternative reports come from comprehensive and wide-ranging sources and a byproduct of wide scale NGO cooperation and collaboration.

Through NGO collaborative undertakings, committee experts get the impression that NGOs have not only covered sufficient ground but have also adequately consulted each other in preparing the reports. This enhances NGO respectability and credibility in the eyes of committee experts.

As a whole, this conveys the idea of collective strength in order for the committee experts to take up their issues seriously.

This is not a one-shot deal though. NGOs build their own name and reputation over the years of their labor. This compels them to observe care and diligence in fulfilling their globally targeted political work.

### ***Mastery of dynamics of UN human rights treaty bodies***

Individuals make up human rights treaty bodies. Given the wide range and variety of human rights provisions, it would be exceptional for a particular committee member to be truly an expert on the entire provisions of a particular treaty. Besides, individual committee members have their own personal preferences or interests as far as specific provisions are concerned. Committee experts do not belong to a homogeneous group. Thus, approaching them based on



their own individual peculiarity could help NGOs in touching base with them with a view towards carrying their issues forward in the constructive dialogue and committee proceedings through the help of the expert.

Experts need the NGOs too in order to get a full grasp of what is truly happening in the country whose initial and/or periodic report they are assessing and evaluating. Experts are in a position to have a bird's eye view of the scenario, having the benefit of interacting personally with government delegates, NGO defenders, fellow UN experts, and other UN agency officials, not to mention their access to the periodic country and shadow reports. See [state reports](#) submitted to the CEDAW Committee.

Experts themselves presumably would want to ensure the proper enforcement of human rights treaties and it is in the monitoring process – in which they play a critical part – where they could make a difference.

There are also committee experts who are ardent defenders of human rights. Faced with governmental omission of facts, these experts need NGOs in order to provide them with reliable data and information to be able to pursue the quintessential cause of human rights themselves by raising these issues during their constructive dialogue, closed-door deliberations, and preparation of concluding comments and observations. In one of their constructive dialogues in July 2005, one of the CEDAW Committee experts even went to the extent of asking her colleagues to give her the mandate to visit countries in order to get firsthand information on what is really happening on the ground.

Such passion for human rights promotion on the part of the experts could be matched by NGOs by giving them reliable data and information for them to be able to marshal their own passion and expertise for human rights defense.

### ***Research and documentation***

Data- and information-gathering and verification are the critical tasks that NGOs face in embarking on the project of preparing shadow or alternative reports. Double checking facts and figures requires huge amounts of time, diligent effort, expertise, and resources. Yet, NGOs need to devote much of their efforts in dealing with this challenge since this is what their specific role in human rights monitoring and reporting is all about. See [Producing Shadow Reports to the CEDAW Committee: A Procedural Guide, January 2009](#).

Building a strong database of verified data and information over the years would enable NGOs to present their case before human rights treaty bodies with a formidable credibility that could convince committee experts to tackle the issues the NGOs have raised during their constructive dialogue with government delegates, their own closed-door deliberations, and finally, in deciding the contents of their concluding comments and observations. This barrage of irrefutable facts and data could ultimately pressure state actors to address human rights problems.

NGOs need solid facts and data in order to be able to withstand counterattacks and denial from state actors and possibly from the committee experts themselves. They should reasonably expect that NGO lobbying efforts would be met with powerful counter-lobbying initiatives from state actors in various forms, considering that states have their own listening posts at the UN.

The scope of the research and investigation should be broad enough as to convey the real picture. Using various forms of media, especially video and still photos, would help the NGO cause of presenting before the committee experts, and to the whole world, what the real score is.

### ***Shadow report writing***

Shadow report writing requires the NGOs' mastery of the provisions of the specific human rights treaty under which they intend to present alternative or shadow reports. This presupposes that the relevant treaty provisions have served as the framework of the research plan and design in order to ferret out and correlate the facts to the specific provisions.

NGO defenders must master the nuances and the language of the treaties as used by committee experts and be able to write and speak in this manner as well. They themselves should master what the committee experts presumably have mastered, i.e., previous concluding comments and observations pertaining to their own country, general comments, and treaty provisions. When relevant to their issues, defenders could refer to other human rights bodies' general comments as well.

Linking up factual issues with specific provisions of human rights treaties gives NGO lobbyists an "opening" in establishing rapport and effectively communicating with the committee members. This rights-based approach imbues NGO reports with a sense of legitimacy and urgency which are necessary for committee members to seriously consider and take up their alternative reports and representations during the committee proceedings.

An important facet of the shadow reporting task is the making of a specific and concrete recommendation to the state in addressing the specific treaty violation, whether in the form of omission or commission of specific acts. This gives rise to the possibility that the human rights treaty body concerned would consider adopting the NGOs' recommendation in addressing the human rights issue in preparing its own concluding comments and observations.

This approach is impact-oriented.

### ***UN oral presentation***

Whether simply symbolic or not, the human rights treaty bodies' dialogue with NGOs as a part of their proceedings should be taken seriously. For NGO lobbyists, this serves as an arena of struggle to articulate and voice out the pressing issues besetting a specific reporting state. This dialogue reinforces and further entrenches the NGOs' role in the human rights monitoring scheme.

This dialogue provides NGOs with a presence in the international arena, conveying the message to committee experts that their actions are being observed by NGOs who have their own extensive network in the global sphere. This helps foster NGO-human rights treaty body rapport and relationship that would help NGOs espouse their causes before the committees in the years to come.

This dialogue complements the individual lobbying efforts of NGO defenders, i.e., their personal interaction with the committee experts on a person-to-person basis during breaks in the proceedings.

The oral presentation should only mention the most prominent issues, ideally not exceeding three issues. Narrowing down and targeting issues would impress upon the experts what the most pressing issues really are. This oral presentation could influence individual experts on whether they should raise up the issues in their constructive dialogue with the government delegates, in their closed-door committee deliberations, and finally, in the concluding comments and observations.

To reinforce and complement their oral presentation, NGO oral presenters should also provide written copies of their statements to the experts.

### ***Targeting issues for impact***

NGO defenders should be experts on their own issues. They should know their issues by heart. They should be able to identify only a few issues that would stick into the mind of the committee experts and be able to wrestle with the government delegates solely by virtue of the strength of their own verified data and facts.

Narrowing down issues is critically important because to raise a lot of issues before the experts could muddle up the whole thing and lead to nothing specific and concrete. Targeting certain highly important issues should be done even before the lobbying process begins. NGOs should not worry that narrowing down specific issues would leave other issues behind. The rest of the issues have been presented in the shadow report anyway and the NGO defenders could refer the experts to the NGOs' more comprehensive and detailed shadow reports.

NGOs would do well to consider the human factor in engaging in this arena of advocacy. Committee experts spend only several weeks in the United Nations and need to browse over tons of documents. They could hardly digest all the information presented to them by state actors and NGOs. NGO lobbyists need to be keen on these realities. Hence, emphasizing certain issues that could be impressed upon the experts in individual lobbying efforts, with the help of short written documents and issue-targeted oral presentations, could go a long way in highlighting the issues. See [Steps for Effective Advocacy](#).

Giving prominence to issues espoused by NGOs starts with their ability to inculcate upon the minds of the experts these pressing matters. The moment NGOs have successfully impressed upon the experts the burning issues in specific countries, experts themselves would more likely take up and raise these issues before the government delegates during their constructive dialogue. This information conveyed to the experts could even go a long way, such as seeping into the closed-door committee deliberations and, ultimately, into the committee's concluding comments and observations. Achieving this grand purpose however requires a lot of work even before NGO lobbyists step into the UN premises.

### ***Follow through lobbying efforts***

NGO lobbying efforts are unceasing throughout the proceedings of the human rights treaty bodies. Aside from submitting to the individual experts their shadow reports, NGO lobbyists should be able to identify beforehand those committee members who are sympathetic to their causes. Identifying the individual preferences of the experts would enable NGOs to devise good lobbying strategies, on an individual basis, such as presenting a specific issue to a particular expert who is especially interested in such an issue. This way, the chances that the specific issue would be raised by that expert during the constructive dialogue would be greatly enhanced.

The task essentially involves knowing the terrain, that is, by way of knowing the individual peculiarities of the experts.

NGO defenders should be all ears to what transpires during the constructive dialogue. They should keenly take note and analyze the answers given by the government delegates (or the lack of it) to the questions raised by the experts, especially as these relate to the issues being advocated by NGOs.

What NGO defenders should do right after the constructive dialogue is to critique the answers given by the government delegates or the lack of answers to the experts' queries. If the responses were not truly reflective of the reality on the ground, for example, the NGO defenders should be able to write a document critiquing the government response and forward this to the experts, citing authoritative data and facts to bolster the NGO position.

NGO defenders should pay special attention to what is omitted during the constructive dialogue, whether on the part of the experts or of the government delegates and point out these omissions during their personal lobbying efforts before the experts. They should also be able to come up with brief, precise, and direct to the point written documents addressing emerging developments amid all the flurry of events that are taking place during the proceedings.

Doing this increases the chances for the experts to take up the matter further during their closed-door deliberations, and, ultimately, to discuss the issue as well in the committee's concluding comments and observations. State evasion of the issues could be taken advantage of by NGOs in further pressing on with these issues with the committee experts.

When the committee mentions the issue carried by the NGOs in its concluding comments and observations, prominence of the issue is achieved on a global scale. This increases the pressure for the state to address the specific human rights issue back in its home ground.

Needless to say, NGOs should engage in this arena with sufficient logistics, such as computer, printers, or runners for photocopying services.

### ***Media and cyber-advocacy***

This is not enough though. In the midst of their lobbying efforts, NGOs must also be able to tap the potent power the Internet and the media unleash, including UN media's. Presenting such issues in the UN media could help generate stronger pressure back home in addressing specific human rights violations.

The issues tackled during the constructive dialogue could be a good material to be critiqued by NGOs and disseminated to various media entities, globally and nationally. Concomitantly, this approach helps to make the issues articulated during the proceedings reverberate throughout their home country, thereby raising people's awareness about the issue as well as about the fact that their own government is being held accountable for such human rights blemish before the UN. This media activism further strengthens the principle of accountability in the home front, thereby advancing to newer heights the human rights struggle.

This could be done by referring the media establishments and NGOs back in the home country to UN websites that regularly post updates about the proceedings of the treaty bodies. These local entities could then develop their own pegs in disseminating the information and developments further to the people in their own country.

In fine, NGO activism in the hallways of the UN increases pressure upon state actors exerted from the national and global fronts. All this optimizes the opportunities available to NGO defenders the moment they engage state actors in the UN arena.

### ***Call for continuity***

Faced with constraints in resources, NGOs need to build, expand, consolidate, and strengthen their mass base of empowered, skilled, and specialized defenders who could contribute their own share towards internationalizing human rights issues by engaging in shadow reporting, media advocacy, and lobbying before UN human rights treaty bodies. Popularizing by means of various media and training the relevant knowledge and skills required for shadow reporting, lobbying, and media advocacy would help build a grassroots human rights infrastructure that has the capability of gathering and verifying information and data on a continuing and long-term basis. This would be useful in holding state actors accountable for human rights violations both nationally and internationally.

This entails training and developing defenders principally on the rights-based approach. This rights-based approach would serve as a lens through which they would view, examine, analyze, and confront specific instances of human rights violations coupled with a specialization on lobbying and media work peculiar to the UN milieu. Through their collaborative efforts, NGOs could embark on the slow and painstaking task of data and information gathering and verification, alternative report writing, consultation, and planning to be able to confront state actors in the international arena on the latter's human rights accountability.

### ***Training grassroots defenders***

Due to limited NGO resources, it is important to multiply the ranks of defenders who would assume a variety of roles in order to ensure that alternative or shadow reports would be submitted to the various human rights treaty bodies depicting gruesome realities that states may be wont to avoid mentioning altogether or craftily trivialize as simply isolated cases of individual indiscretion or abuse. The interim period between the submission by states parties of their periodic reports would be a sufficient time for NGOs from all over a particular country to consolidate their efforts and divide tasks among themselves towards a shared and consolidated shadow report. Inter-country sharing of experiences, insights, expertise, and skills in UN lobbying would go a long way in further enhancing and building upon NGO strengths and capabilities honed over years and decades of struggle.

### ***Vigilance***

Vigilance would be maintained by launching the long-term and continuing political project of submitting shadow reports and training NGO lobbyists and media advocates on how to effectively present to the committee experts the issues refused to be reported or are often understated by state actors.

The task is daunting, given the nature of information and data gathering which requires a high degree of expertise and care.

To ensure continuity and strengthening of positive NGO traditions, experienced NGO lobbyists should be able to reecho and impart their experiences, observations, and insights to other human rights advocates in a systematic and organized manner during lectures, seminars, workshops, and other forms of training, preferably using Internet tools, showing specifically various UN websites, and how they could seize the initiative in adopting strategies for media and cyber-activism. This would multiply the ranks of human rights advocates in various sectors of society, especially the emerging generations belonging to the ranks of the youth and students.

### ***Claiming a voice***

The voiceless, nameless, and faceless masses of men, women, and children around the globe are the principal stakeholders in the battleground that is the UN human rights treaty bodies. In the

post 9/11 era, marred with incidents and threats of terrorism on the one hand, and repressive measures that imperil civil liberties and human rights on the other hand, NGOs cannot afford to lose their hard-fought gains in serving as the voice of the oppressed and dehumanized sectors of society. The emerging post-9/11 scenario impels defenders to become all the more vigilant due to efforts by state actors to rob people of their democratic rights and freedoms that form part of, as well as are essential for enjoying, defending, and promoting their dignity and human rights.

In this regard, the UN treaty bodies would continue to serve as a blazing arena for contending and discordant voices, representing warring interests, with NGO defenders serving as the representatives of humans living in the margins of social existence. What is at stake are the dignity and human rights of these people. It is their interest that truly runs paramount.

-30-